

**VILLAGE OF BROOKLYN ORDINANCE CHAPTER 117**

**AN ORDINANCE TO CREATE**

**SECTION 117-1058 OF CHAPTER 117 OF THE CODE OF THE VILLAGE OF BROOKLYN**

**REGARDING LANDSCAPING STANDARDS**

THE BOARD OF TRUSTEES OF THE VILLAGE OF BROOKLYN DO ORDAIN AS FOLLOWS:

Section 117-1058: Chapter 117, Zoning Code; Article V. Zoning Districts and Land Uses; Division 8. Traffic Visibility, Loading, Parking and Access; Section 117-1058 Landscaping Standards; of the Code of the Village of Brooklyn Code is hereby created to read as follows:

**Section 117-1058. Landscaping Standards.**

(a) *Purpose.* The purpose of this subsection is to provide and maintain vegetation in a manner that promotes the Village’s natural resource protection, aesthetic, and public health goals in addition to the preservation of its small-town semi-urban character. Where required under this subsection or elsewhere in the Zoning Ordinance, landscape plans shall be designed and implemented to present an attractive street and community appearance (particularly in highly visible and traveled areas), complement existing uses and site development on nearby lands, and buffer lower density and/or residential uses nearby.

(b) *Landscaping - Applicability.* Any use for which site plan approval is required, subsequent to the adoption of this section, under 117-400 shall provide landscaping in accordance with the regulations of this Section. For expansion, renovation, or redevelopment of an existing building or site where the Plan Commission determines that full compliance will be impractical, the Commission may approve modifications to the regulations of this Section as part of its site plan approval. The following zoning districts are hereby exempted from the landscaping requirements outlined in this subsection:

1. R-SL, Single-Family Low-Density District
2. R-SM, Single-Family Medium-Density District
3. R-SH, Single-Family High-Density District
4. R-T, Two-Family Residential District
5. AG, Agriculture District

(c) *Landscape Plan.* All proposed landscape plantings to be located on each subject property shall be depicted on a landscape plan as to their location, type, and size at time of planting and maturity. Such plan shall be subject to Plan Commission review/approval as a part of the site plan review process. Landscaping shall be provided or retained in different parts of each subject property based on the following requirements:

1. *Landscape Plan Requirements.* When an application is submitted for a building or zoning permit on any site where these landscape regulations are applicable, the application shall be accompanied by a landscape plan. The Plan Commission or Village official shall review the landscape plan to determine compliance with these landscape regulations. The landscape plan shall include sufficient information to determine compliance with this section, and shall as a minimum contain the following information:
  - a. The date, scale, north arrow, title, and name of owner.

power poles, underground and overhead utilities, light standards, fire hydrants, signs, fences, sidewalks, and other permanent features to be added and/or retained on the site.

- c. The location and height of all trees to be preserved or retained.
  - d. The location of all plants and landscaping material to be used including paving, benches, screens, fountains, statues, or other landscape features.
  - e. A delineation of the designated landscaped area.
  - f. A list of the species of all plant material to be used.
  - g. A list of the size and height of all plant material to be used.
  - h. The spacing of plant material where appropriate.
  - i. Notes on any existing or proposed irrigation system, including controls.
  - j. Installation details of trees, shrubs, grasses or other decorative features including berms, unless otherwise covered in other engineering drawings.
  - k. If screening utilizes fencing, the type, height, material, positioning and installation details.
  - l. Retaining walls or engineered slopes shall be depicted along with details on installation, type/materials, finished appearance, drainage and setbacks, unless otherwise covered in other engineering drawings.
  - m. Easements and right-of-ways.
  - n. Provisions for snow storage & removal from paved areas.
  - o. The name, address, and telephone number of the person or firm responsible for the preparation of the landscape plan.
2. *Minimum Planting Requirements.* Except where approved by the Plan Commission, minimum sizes at time of planting are as follows:
- a. Deciduous tree, 1½ inch diameter at chest height.
  - b. Evergreen tree, 4 feet tall.
  - c. Shrub, 1-2 feet in height or minimum 1-gallon pot.
3. *Street Frontages.* Where site conditions do not allow adequate landscaping within site boundaries, street trees may be planted to meet the requirements of this section if determined appropriate by the Plan Commission. Street trees or shrubs located in or upon any public street, parkway, terrace or other public land within the Village requires a permit from the Village Forester pursuant to Section 107-106. Acceptable street tree species & locations are subject to approval by Village Staff.
4. *Paved Areas.* Landscaping shall be planted in and or around each paved or other hard-surfaced area including gravel parking lots where approved by the Plan Commission. Paved area landscaping concepts are encouraged to include the following (see Figures for schematic examples):
- a. Paved area perimeter concepts with small, medium or large deciduous trees, large deciduous or evergreen shrubs, decorative stone, pavers, or wood mulch, decorative fences or timber concepts, and accent plantings such as tall grasses.
  - b. Tree island concepts with small, medium or large deciduous trees, large deciduous or evergreen shrubs, decorative stone, pavers, or wood mulch, stones or layered rock

accents, and accent plantings such as tall grasses.

- c. Combinations of the above concepts, together with building perimeter landscaping, waste area screening or other building/site elements, are encouraged for comprehensive site design and to lessen the overuse of any one particular landscaping element.
- d. Paved area perimeter landscaping shall include provisions for snow storage and removal.

Figure 1 - Landscaping Concept Schematic (Side Parking)

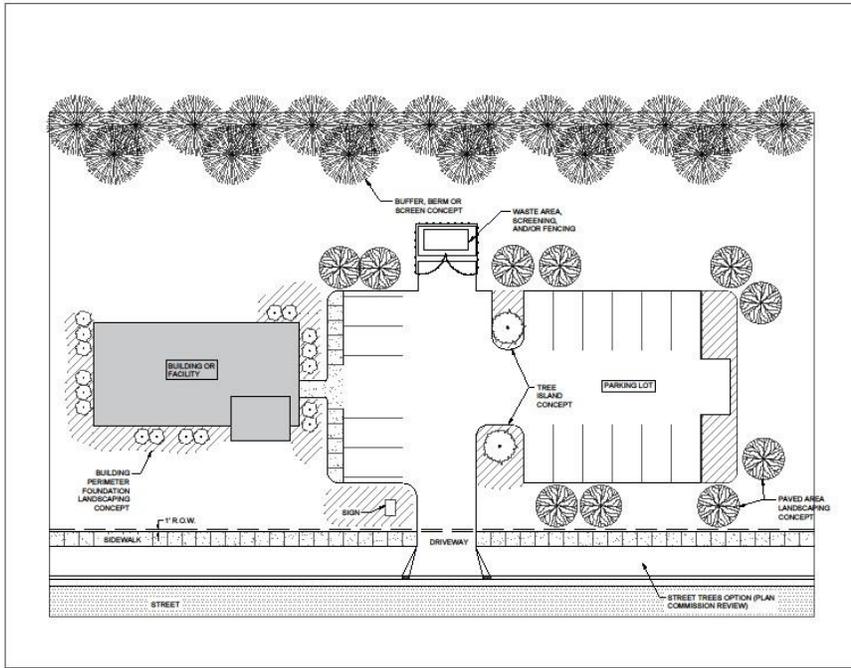


Figure 2 - Landscaping Concept Schematic (Restricted Site)

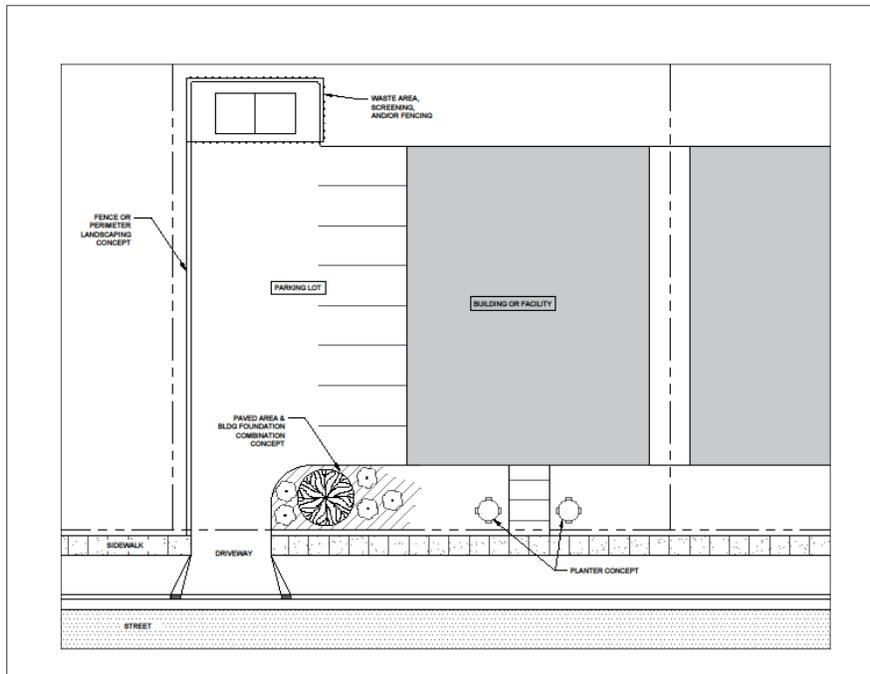


Figure 3 - Landscaping Concept Schematic (Front Parking)

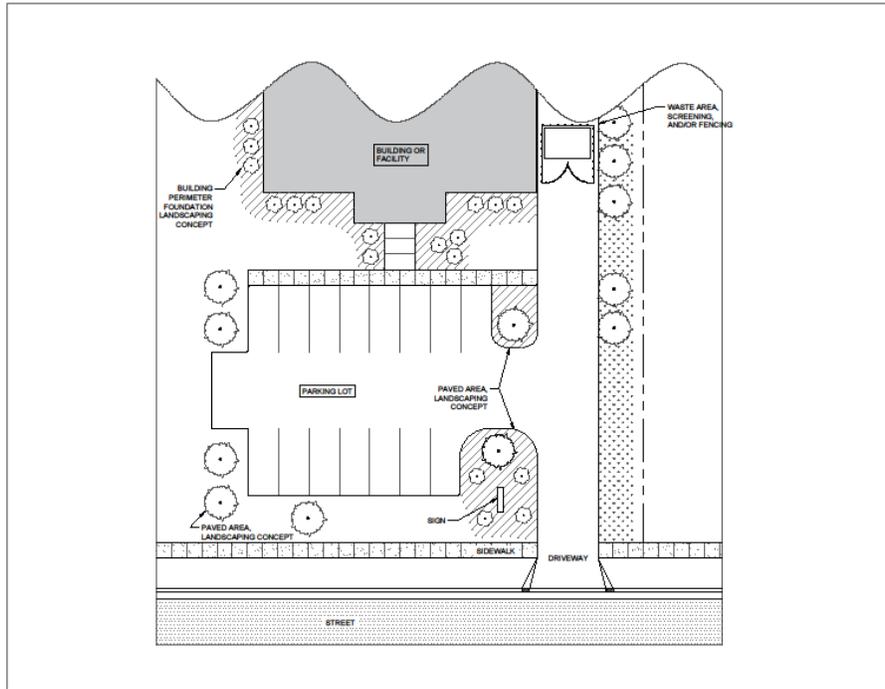
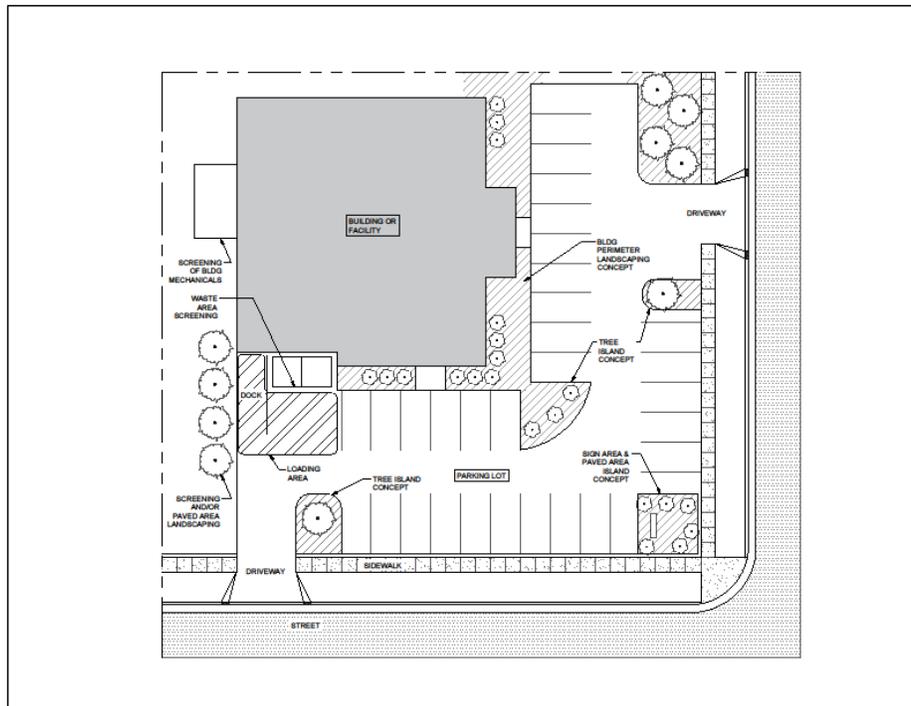


Figure 4 - Landscaping Concept Schematic (Corner Lot)



5. **Building Foundations.** Landscaping shall be planted around exterior building walls, except for those not visible to the public, but shall not include large deciduous shade trees. Building perimeter concepts are encouraged to include the following (see Figures for schematic examples):

- a. Deciduous or evergreen shrubs, small decorative trees, decorative stone, pavers, or wood mulch, stones or layered rock accents, and accent plantings such as tall grasses.
  - b. Use of building features or ornamental elements tied to the facility appearance, use or product is encouraged.
  - c. Screening of mechanical elements such as condensers, vents, utility meters, and other building attachments is encouraged where in direct view and not able to be addressed via site/building orientation.
6. *Buffer yards.* A buffer yard, as defined via the standards identified herein, shall be provided if required for a particular adjoining land use listed in Sub-section (b), and where otherwise required by the Plan Commission as part of its approval of a site plan under Section 117-400 or a land division under 111-52 & 111-54 . Where required, buffer yards shall comply with the following.
- a. Buffer yards may be required by the Plan Commission in the side or rear yards, that adjoin less intensive uses, for new development in the following districts:
    - (1) Business Park District, B-P
    - (2) Multiple-Family Residential District, R-M
    - (3) General Business District, B-G
    - (4) Neighborhood Business District, B-N
    - (5) Industrial District, I
    - (6) Light Commercial, LC
    - (7) Special Purpose Districts, such as Adult Entertainment (AE) & Public Grounds (P-G)
  - b. The minimum width of a buffer yard shall be 25 feet, unless reduced by the Plan Commission if it determines that a lesser width is both adequate to separate incompatible uses/activities and necessary owing to site constraints beyond the control of the owner.
  - c. No building, vehicle accommodation area other than a bike/pedestrian way, trash storage area, light fixture, sign, or outdoor storage area or structure shall be permitted in a required buffer yard.
  - d. Landscaping within buffer yards shall be selected, positioned, and planted in sufficient quantities to provide an all-season screen within five years of planting.
  - e. The use of a decorative opaque fence or wall, and/or a berm, in lieu of or in addition to the landscaping may be approved by the Plan Commission, provided that the slope of any berm is less than 4:1 and the berm, fence or wall does not interfere with access, utilities, or stormwater management.
7. *Waste Area Screening.* Waste & recycling containment areas shall be screened from view from all adjoining streets and properties. Screening shall consist of:
- a. Building materials & integral gating concepts
  - b. Opaque fencing & gating such as wood material, pvc inserts, vinyl inserts or other material approved by the Plan Commission
  - c. Medium evergreen trees spaced adequately for coverage and for survivability of the tree species.
8. *Other Green Space Areas.* Green space areas not used for landscape plantings, other than natural

resource protection areas shall be graded and sodded or seeded with a maintainable seed mix. Organic or natural mulch of plantings or planting beds is acceptable, but shall be installed so it does not erode, fall, be plowed, or otherwise transported into walks, drives, streets, or other hard-surfaced portions of the site.

9. *Rain Garden & Biofilter Areas.* Onsite non-municipal stormwater management areas, such as rain gardens, attenuation ponds, and biofilters, shall be considered landscaping amenities and shall be maintained for engineering performance as well as aesthetic appearance.

10. *Installation Requirements.*

- a. *Visibility.* All landscape plantings must comply with the vision clearance requirements of 117-1144 in a full-growth state. Furthermore, in the preparation and approval of landscape plans, adjacent sites zoned for non-residential use shall not unreasonably be screened from view from public streets.
- b. *Prohibited and Discouraged Species.* The following species are prohibited for use as landscaping plants in all locations:
  - i. Honeysuckle: *Lonicera-bella*, *Lonicera marrawi*, *Lonicera tatarica*
  - ii. Box Elder (*acer negundo*)
  - iii. Buckthorn (common or glossy): *Rhamnus cathartica*, *Rhamnus frangula* (tall hedge)
  - iv. Black Locust (*robinia pseudacelia*)
  - v. Mulberry Tree (*morus*)
  - vi. Poplar (genus *populus*, all varieties, including Cottonwood)
  - vii. Ash (all varieties, until threat of emerald ash borer is eliminated)
  - viii. American Elm (*almus american*) and any other species of elm not resistant to Dutch Elm Disease
- c. The use of the following tree species shall be strongly discouraged:
  - i. *Ailanthus* (Tree of Heaven)
  - ii. *Catalpa*
  - iii. European White Birch
  - iv. Fruit-bearing Trees (excluding Crabapples)
  - v. Russian Olive
  - vi. Siberian Elm
  - vii. Silver Maple
  - viii. Walnut
  - ix. Willow (except along water edges)
  - x. Pine
  - xi. Other weak-wooded tree species or species that deposit a significant number of twigs, seed pods, fruits, nuts, and/or other debris.
- d. *Installation.* All landscaping required under this Section shall be installed consistent with Village standard specifications and industry accepted standards and shall be guaranteed by

the applicant or the applicant's contractor for two years. All landscaping shall be installed according to the approved plan on file with the Village, which plan is to be prepared and approved prior to building permit authorization. Installation of approved landscaping improvements shall occur prior to occupancy or commencement of operations, unless doing so would result in unsatisfactory plant survival. In this case, landscaping shall be installed within six months of occupancy or commencement of operations, or other timeframe as specifically agreed with the Plan Commission. Phased landscaping installations may be approved by specific agreement with the Plan Commission.

- e. Maintenance. Landscaping required by this Section is intended to be a permanent site improvement. As such, all landscaping shall be continually maintained in a live, healthy, safe, and aesthetically pleasing state. Recognizing that over time plants may mature and die or otherwise expire because of natural or unnatural causes; maintenance shall include the removal and replacement of dead or dying plants. Such replacement shall occur within the same year in which a plant dies or in the spring planting season of the following year.
- f. Stabilization Measures. Landscaping shall be provided with adequate stabilizing mechanisms designed for wind, erosion and varying weathering conditions such as tie-downs, matting and tree staking. Installations shall consider site erosion control provisions.
- g. Location in Utility Easements. Planting in utility easements is at the risk of the property owner. Any plants that must be removed because of utility work within such easements shall be replaced by the property owner at his or her cost.
- h. Landscaping in Public Rights-of-way or Public Lands. Tree or shrub planting in any public right-of-way or on any public land in the Village shall be in accordance with the provisions Section 107-106.

- 11. *Lawn Care and Alternative Groundcover.* Lawn care, including gardens, shall comply with the requirements of Section 24-24.

Adopted by the Board of Trustees of the Village of Brooklyn, Wisconsin, this 12th day of April, 2021.

APPROVED:

\_\_\_\_\_  
Brit Springer, Village President

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Linda Kuhlman, Clerk-Treasurer

# AFFIDAVIT OF POSTING

STATE OF WISCONSIN     )  
  :SS  
COUNTY OF GREEN        )

I, Linda Kuhlman, Village Clerk/Treasurer for the Village of Brooklyn, County of Dane/Green, State of Wisconsin, do solemnly swear that on April 13, 2021, Chapter 117, Zoning Code; Article V. Zoning Districts and Land Uses; Division 8. Traffic Visibility, Loading, Parking and Access; Section 117-1058 Landscaping Standards; was posted at the following locations and notification of changes published in the Oregon Observer:

1.     State Bank of Cross Plains  
       210 Commercial Street  
       Brooklyn WI 53521
  
2.     U S Post Office  
       218 Commercial Street  
       Brooklyn WI 53521
  
3.     Village of Brooklyn website  
       [www.brooklynwi.gov](http://www.brooklynwi.gov)
  
4.     Brooklyn Community Building  
       102 N. Rutland Avenue  
       Brooklyn, WI 53521

Further affiant saith naught.  
Dated this 13th Day of April, 2021

\_\_\_\_\_  
Linda Kuhlman  
Village Clerk-Treasurer

SUBSCRIBED AND SWORN to before  
me on this 13th day of April, 2021

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ WI  
My Commission expires: